

UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

BARBARA C. PETTITT,

Plaintiff,

v.

COSTCO WHOLESALE
CORPORATION, JOHN DOES 1-50,
inclusive,

Defendants.

Case No. 1:22-cv-00608-JLT-HBK

ORDER AMENDING CASE MANAGEMENT
AND SCHEDULING ORDER

(Doc. No. 23)

On July 13, 2023, the parties jointly moved to amend certain deadlines in the August 30, 2023 Case Management and Scheduling Order. (Doc. No. 23). The parties explain that despite their diligent efforts, discovery remains outstanding. Further, the parties agree to attend mediation on October 31, 2023 and seek to conserve their resources before engaging in expert discovery. The Court finds good cause pursuant to Fed. R. Civ. P. 16(b)(4) to modify certain deadlines in the August 30, 2023 Case Management and Scheduling Order (Doc. No. 14).

Accordingly, it is here ORDERED:

1. The parties' joint motion to modify the deadlines in the August 30, 2022 Case Management and Scheduling Order (Doc. No. 23) is GRANTED.
2. The following revised deadlines shall govern this action.

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Revised Deadlines and Dates

| Action or Event | Date |
|---|-------------------------|
| Deadline for completing non-expert discovery. <i>See Fed. R. Civ. P. 37.</i> ¹ | 11/13/2023 |
| Deadline for plaintiff to disclose expert report(s). <i>See Fed. R. Civ. P. 26(a)(2).</i> | 11/13/2023 |
| Deadline for defendants to disclose expert report(s). | 11/13/2023 |
| Deadline for disclosing any expert rebuttal report(s). | 12/13/2023 |
| Expert discovery deadline. | 01/15/2024 |
| Deadline to advise the Court of settlement, ADR, VDRP or mediation efforts to date. <i>See Local Rules 270, 271. The parties may contact Chambers prior to this date to arrange a settlement conference.</i> | 11/30/2023 |
| Deadline for filing dispositive motions. <i>See Fed. R. Civ. P. 56.</i> | 02/15/2024 |
| Deadline for filing the final joint pretrial statement, motion(s) <i>in limine</i> , proposed jury instructions, and verdict form. <i>See Local Rule 281.</i> | 07/22/2024 |
| Date of the final pretrial conference. <i>See Fed. R. Civ. P. 16(e); See Local Rule 280, 281, 282, 283.</i> | 07/29/2024 1:30 p.m. |
| Month and year of the trial term. | 09/10/2024 8:30 a.m. |

3. The parties remain bound to follow all deadlines and procedures set forth in the Court's August 30, 2023 Case Management and Scheduling Order (Doc. No. 14) except for those explicitly amended by this Order.

Dated: July 19, 2023

Helena M. Barch - Kuchta
HELENA M. BARCH-KUCHTA
UNITED STATES MAGISTRATE JUDGE

¹ The Court follows the rule that the completion date means that all discovery must be finished by the deadline set in the Rule 16 Case Management and Scheduling Order. Litigants—by their own agreement—may conduct discovery after the formal completion date but the Court will likely not resolve discovery disputes after the discovery completion date. In fact, motions to compel filed after the discovery deadline are presumptively untimely and may be denied on that basis alone.